

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1339

IN THE MATTER OF:

Application of TRANS-STUDENT LINES,)
INC., for Temporary Authority)

Served July 1, 1974

Application No. 839

By Application No. 839, filed June 18, 1974, Trans-Student Lines, Inc., (Trans-Student) seeks temporary authority pursuant to Title II, Article XII, Section 4(d)(3) of the Compact, to transport students from Andrews Air Force Base, Prince George's County, Maryland, to Washington Navy Yard Annex, Anacostia, District of Columbia, and return, and from Andrews Air Force Base to Foreign Service Institute Site, Rosslyn, Virginia, and return. The students utilizing Trans-Student's service will not be required to pay for the transportation service. Rather, the United States Government would pay for the transportation services rendered.

The threshold issue presented for the Commission's determination is whether the proposed service is subject to the regulatory provisions of the Compact. Title II, Article XII, Section 1(a) states that the Compact "shall apply to the transportation for hire by any carrier of persons between any points in the Metropolitan District and to the persons engaged in rendering or performing such transportation service". (Emphasis added.) The Compact lists five exceptions to the grant of jurisdiction and none are applicable to the service proposed by Trans-Student.

The transportation service to be performed by Trans-Student is transportation for hire. The service would be rendered for students. The United States Government would pay Trans-Student for the service pursuant to a contract. The transportation services would be performed between points in the Metropolitan District. The Commission believes that the proposed service is subject to the provisions of the Compact and properly within the regulatory jurisdiction of this Commission.

Under Title II, Article XII, Section 4(d)(3) of the Compact, the Commission must base any decision to grant an applicant temporary authority to provide a specific service upon the finding that there is an immediate

and urgent need to a point or points within a territory having no carrier service capable of meeting such need. So finding, the Commission may, in its discretion and without hearings or other proceedings, grant temporary authority.

Trans-Student submits that the immediate and urgent need for the proposed service is the result of the Department of the Air Force (Air Force) awarding the contract to Trans-Student and the inability of the Air Force to furnish the proposed service at this time. As support for these contentions, Trans-Student filed as part of its application a letter from the Air Force. That letter indicates that Trans-Student is the apparent low bidder on the contract proposal for this service and that the Air Force cannot furnish the proposed service at this time. The Commission finds that there exists an immediate and urgent need for the proposed service to be performed by Trans-Student.

Trans-Student alleges that there is no existing carrier service available to perform the proposed service. The letter from the Air Force supports this allegation. The Commission finds that there is no carrier service capable of meeting the specific need found to exist.

THEREFORE, IT IS ORDERED:

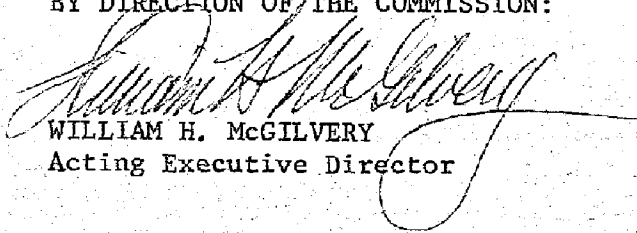
1. That Trans-Student Lines, Inc., be, and it is hereby, granted temporary authority to transport students from Andrews Air Force Base, Prince George's County, Maryland, to Washington Navy Yard Annex, Anacostia, District of Columbia, and return, and from Andrews Air Force Base, Prince George's County, Maryland, to Foreign Service Institute Site, Rosslyn, Virginia, and return.

2. That Trans-Student Lines, Inc., be, and it is hereby, required to file forthwith, two copies of its contract to provide the service authorized herein, pursuant to Regulation 56-03.

3. That Trans-Student Lines, Inc., be, and it is hereby, authorized to file a tariff pursuant to the provisions of Regulation 55, effective upon acceptance by the Executive Director.

4. That unless otherwise provided by order of the Commission, the temporary authority granted herein shall become effective Monday, July 1, 1974, and shall remain in effect through Saturday, December 28, 1974.

BY DIRECTION OF THE COMMISSION:


WILLIAM H. MCGILVERY
Acting Executive Director